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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/814,702

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Jonathan J. Hull

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EXAMINER

MARANDI, JAMES R

ART UNIT

PAPER NUMBER

2421

NOTIFICATION DATE

DELIVERY MODE

10/30/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/814,702	Applicant(s) HULL ET AL.	
	Examiner JAMES R. MARANDI	Art Unit 2421	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/11/2008, 1/23/2008, 10/26/2007,</u> | 6) <input type="checkbox"/> Other: _____ |
| <u>9/18/2007, 7/20/2007, 4/27/2007, 2/2/2007, 11/6/2006, 10/2/2006, 4/17/2006,</u> | |
| <u>1/24/2006, 10/31/2005, 12/27/2004.</u> | |

DETAILED ACTION

Specification

The disclosure is objected to because of the following minor informalities:

There are several misspellings such as:

- Paragraph [33], 3rd line, “and vide content...” should read “and video content”
- Paragraph [79], 6th line, “include a extracting ...” should read “include extracting...”

Please review all for any additional typographical errors and correct as needed.

Claim Objections

Claim 13 is objected to as it recites the limitation "interact with **the printer**" in claim 1. There is insufficient antecedent basis for this limitation in the claim

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-
(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent; or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English.

Claim 1-39 are rejected under 35 U.S.C. 102(e) as being anticipated by S.M. Hoffberg et al., USPN 6,400,996 (hereinafter “Hoffberg”).

Regarding claims 1 and 20, Hoffberg discloses a system and a method **for recording media content and for generating media representations** (Abstract; Hoffeberg processes the input/ received signal, based on user profile, to extract features and subsequently represent the outcome, e.g. recordings on a VCR tape, Figs 18, 20, 22), **the system comprising:**

an extraction module (Fig. 22, 2204) for extracting of media content from a media receiver (2201);

an output device (VCR) for generating a media representation of media content (recordings or cataloging of portions of interest to user) extracted from the

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media receiver, the output device being coupled to the extraction module (Col. 92, Example 2, lines 5-62); **and**

a media transfer interface for permitting communication between the output device and the media receiver, the media transfer interface being coupled to the media receiver (Col. 93, lines 62-65; Col. 94, lines 1-40; The VCR is coupled to the input content stream while the user, via UI, manipulates the selection of desired features. The output devices in this example are the VCR for recording of the content and the printer for recording of the content index).

Regarding claims 2 and 21, **media content recognition software for recognizing features in media content**, (Col. 100, lines 53- 67; Col. 101, lines 1- 67; Col. 102, lines 1- 19).

Regarding claim 3, **wherein the media content recognition software further comprises speech recognition software**, (Col. 102, lines 14- 19).

Regarding claim 4, **wherein the media content recognition software further comprises optical character recognition software**, (Col. 107, lines 59- 64).

Regarding claim 5, **wherein the media content recognition software further comprises face detection software**, (Col. 102, lines 14- 19).

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Regarding claim 6, **wherein the media content recognition software further comprises speaker detection software**, (Col. 102, lines 14- 19).

Regarding claim 7, **wherein the media content recognition software further comprises keyframe selection software**, keyframe is the same as I-frames in MPEG coding. Hoffberg discloses content recognition for MPEG coded content (Col. 103, lines 7-18).

Regarding claim 8, **wherein the media content recognition software further comprises face recognition software**, (Col. 102, lines 14-19).

Regarding claim 9, **processing logic for controlling display of a user interface, wherein the user interface permits the user to control actions of the output device**, (Col. 100, lines 3- 15. Hoffberg disclosure of an intelligent adaptive user is further detailed in Col. 97, example 5).

Regarding claim 10, **processing logic for controlling the generation of a media representation**; (Fig. 22)

Regarding claims 11 and 12, Hoffberg disclosed VCR has a tape for analog content storage or a random-access storage for digital content. (Col. 59, lines 9-18)

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Regarding claim 13, **one or more user interaction devices that permit the user to interact with the printer and control the printer's actions, wherein the user interaction devices are external to the printer.** (Col. 97, Example 5)

Regarding claims 14-18, there are unique identifiers, for each program, that the user can manually input (Col. 79, lines 33- 41), or choose to print on paper in machine readable forms, such as barcode (Col. 92, lines 45-62). These identifiers can also be used to instruct the output device to selectively identify, record, or display the program (Col. 79, lines 38-41).

Regarding claim 19, **wherein the media representation is document displaying scheduling information for media programs**, Hoffberg discloses that program content list can be determined and synthesized by the controller 2003 (Fig. 20) in machine readable form or hard copy (Col. 92, lines 45- 62)

Regarding claim 22, **the output device sending commands to the media receiver to control actions of the media receiver**, the user interface allows communication between the input and output devices (Fig. 18, Col. 91, lines 44-64).

Regarding claims 23 and 24, **scheduling actions of the media receiver to occur at predefined times, user-defined time periods**, based on a **profile**, (Col. 111, lines 1-43).

Regarding claims 26 and 29, **generating a schedule representation of a list of media programs**, Hoffberg discloses extracting content features and matching them to template databases (Col. 101, lines 6-8). The content features are recognized using **optical character recognition** (Col. 107, lines 59+). Ability to manipulate program schedules (tables) has been disclosed in Col. 111, lines 26- 54.

Regarding claims 27 and 30, **formatting the schedule representation based on a pre-defined user preferences profile**, see Fig. 24, Col. 113, lines 47+.

Regarding claim 28, **updating the generated schedule representation to include current schedule information**; (Col. 111, lines 26-36).

Claim 31 is rejected as claim 9.

Claim 32 is rejected as claim 14.

Claims 33 and 35-37 are rejected by the same analysis as claims 13-17.

Regarding claim 34, web server with a common gateway interface for controlling the schedule for recording and playing of media content, see Col. 147, Example 30, where an Intelligent Internet Appliance provides the interface for user commands (gateway).

Regarding claim 38, updating a database that stores current schedule information and associated user-selectable identifier information, see Fig. 22, 2209 and 2206, and Col. 111, lines 26+.

Regarding claim 39, Hoffberg discloses tracking of changes in program schedules (Col. 111, Example 9). He further discloses controlling the causation of an action on the occurrence of an event (Col. 69, lines 20-51), namely advancing to the next frame as feature extractor (2204) extract newly changed data in each frame.

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES R. MARANDI whose telephone number is (571)270-1843. The examiner can normally be reached on 8:00 AM- 5:00 PM M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/
Supervisory Patent Examiner, Art Unit 2421

/James R. Marandi/
Examiner, Art Unit 2421